ARE WE READY? Election day draws nigh. What have we done in the way of preparation for it? Have all the qualified Conservative voters in our precincts registered? Where are the registration books? Remember the Radical trick of losing the registration books! Has any preparation been made for bringing to the polls the feeble and the cripple who cannot walk, and have no

TUESDAY, 5th, the people of the United States will be called upon to meet a great crisis in their fortunes.

We hold our fate in our own hands, and can make or mar our destiny at will, but, to use a homely phrase, " as we make our bed so must we lie upon it."

We know the issues presented to us, and we know the men who are claiming office and honor at our hands,

He who runs may read that the election of Greeley guarantees the restoration of civil government, peace and reconciliation, and that the re-election of Grant guarantees a continuance of arbitrary bayonet rule and despotism on the part of both State and Federal governments.

Never did a people have greater inducements to give expression to their wishes in regard to the conduct and policy of their

There is a clear white majority of more than fifty-five thousand voters in North Carolina. Nine-tenths of the white people belong to the Conservative party. Is it their purpose to exercise that power, or will they delegate it to the carpet-baggers and scallawags who control the colored

Prosperity of the South.

New York is jubilant over the marked revival of her Southern trade, consequent upon the recovery of the South from the long season of depression which followed the war and reconstruction. The Evening Mail tells us: "For almost every class " larger and the quality of goods better "than for many years past, and there be an unwented ability and " readiness to pay cash or to ask only very " short credit. Actual investigation shows | can votes." "that the increase in business with the "different Southern States varies from " twenty-five to fifty per cent, of the whole " amount for the past seasons. Not only does the demand for more and better " merchandise evince a growing prosperity, e but the call for agricultural implements " and machinery shows that the people are "earnestly at work establishing their in-" dustries upon a solid basis."

Capt. Shotwell-The Mobile Tribune. The Mobile Tribune commends to us the use of our "spectacles," and thinks that had we carefully read its article we would not have volunteered our defense of Captain Shotwell, for the reason that we would have seen that no attack had been made

We are more happy to take this view of the case, and we assure the Tribune that we never attributed the injustice that was done to Captain Shotwell, as it seemed to us without our "spectacles," to anything more than an unfortunate linstance of careless journalism; and even then we took occasion to state that "we were at a less to say whether our surprise or our regret was the greater," at finding such in- Court jestice done so gallant a gentleman in the

columns of the Tribune. It seemed to us that the effect of the Tribune article was to create an erroneous and a damaging impression in regard to an unfortunate gentleman, who happens to have been selected as a victim of radical malice and radical villainy. If we were too quick to resent even a fancied injury to a fellow-citizen, who was "illegally arrested, falsely accused, unfairly tried and unjustly sentenced to the full severity of an unconstitutional law," we feel sure that no one would pardon us more freely, or would sooner commend the generous error, than

the chival ric editor of the Mobile Tribune. The Tribune says: The Journal would have been more just to Captain Shotwell and have more correctly apprehended the spirit and letter of the article to which it refers, had its editor taken the trouble to put on his spectacles and have actually read that article. The Journal would in that case, not have charged us with accepting the verdict of a Bond or Busteed court as even prima facie evidence of the guilt of the condemned. The paragraph referred to by the JOURNAL was based on the extract from the New York Herald, which preceded our comments. The made by the Herald against Richard Shotwell, but takes us to task, when in truth we did not mention the name, and confined ourselves to a denunciation of the radical practice of applying to penitentiaries for willing witnesses. We know nothing of Captain Shotwell, and most certainly should never think of reflecting on his character from giving credence to the findings of a corrupt court."

poses to pursue in plain and unmistakable surd to talk about. terms, and throws down the gauntlet to all

comers with the following brave words: derstanding that if elected, I shall be the President, not of a party, but of the whole people, I accept your nomination in the confident trust that the masses of our countrymen, North and South, are eager to clasp hands across the bloody chasm, which has too long divided them, forgetting that they have been enemies, in the joyful consciousness that they are, and must henceforth remain, brethren."

gers, shameless scallawags and insane, day, the 5th day of November. blood-thirsty haters of the South, can fatten and flourish only so long as we are the success of our nominees in this great ground under the iron heel of despotism. | contest for peace and reconciliation; for a

the Grant Party. There is no doubt about scred principles of civil liberty itself. In

Boutwell, says: We are advised to clasp hands across the bloody chasm made by

the war. I protest against this advice. Senator Wilson, the candidate for Vice-President of this same Radical horde, spoke in Wilmington the day after Boutwell spoke at Greensboro, and said:

I return here after five years of listening to the stories of the ruin of North Carolina and the despotism of the Federal Government. I cannot see, nor do you feel this despotism of the Federal Government. Stop Democrats, stop talking about the Have we urged upon the lukewarm despotism of the Federal Government and indifferent the importance of going to when you know there is no despotism. You cannot open any book of history and show where any country on the face of the trary-the denial is the most gigantic lie

> This is the issue plain and simple between Greeley the citizen, and Grant the

"Let it be impressed upon your minds, lethit be instilled into your children, that the liberty of the press is the palladium of all the civil, political and religious rights of an Englishman and that the right of juries to return a general verdict in all cases whatever, is an essential part of our Constitution, not to be controlled or limited by the Judges nor in any shape questionable by the Legislature."

These words were uttered to Englishmer one hundred years ago! Do not the occurrences of the last few days warn us that they apply with equal truth to North Carolinians to-day? It is high time for thinking men to consider what our condition will be when free speech, a free press and free juries no longer exist!

Radicalism.

In Arkansas, New York and Georgia, force is its great motive power. In Pennsylvania, corruption is the word. The people are debauched and polluted with their own money. A Grant Congressman, one SHOEMAKER, was arrested on the charge of bribing a Judge of election, bribing him to give him and the Grant party a majority at a precinct where the Domoonly 7. The election judge, on the witness stand and under oath, thus naively

Shoemaker said, 'Couldn't you manage to balance the vote in counting the " of merchandise the orders have been tickets?" Stewart said we could fix the votes in counting them and give a majority for Shoemaker as large as we wanted to. I told Stewart that it would look very badly to give Shoemaker a majority where there were but six or seven Republi-

In North Carolina both force and corruption are used. Blank warrants, suspension of the writ of habeas corpus, illegal voting and bribery have all been tried. A free press still stands up for the rights of the people, and that is now being attacked.

FREE speech, free press and free juries are essential to liberty.

The Cantwell-Russell Libel Indict-

Mr. Solicitor Cantwell, our ex-Chief Judicial officer, &c., on Monday last, asked His Honor, Judge Russell, to charge the Grand Jury specially that to print and publish in a newspaper, an article calling a man a scoundrel, is sufficient to constitute the offence of libel, even though no special damage may ensue to the party thus designated, and even if it be manifestly absurd and preposterous for such designation to affect injuriously the character, reputation or standing of the party thus designated. His Honor instructed the jury that such was the law of North Carolina, and further, that they had no right to examine any witnesses except those sent by the

If we mistake not, every paper in this city and in the State of North Carolina has published articles referring to Messrs. Lowrey and Strong, those distinguished members of the Radical party in Robeson county, commonly called the Lowrey gang, murderers, thieves, cut-throats and scoundrels generally. Has Mr. Solicitor Cantwell sent any bills to the Grand Jury against the editors of papers for libel upon the Lowreys? It strikes us that the nstructions he asked for and obtained rom the Court, fit this case precisely. We rather think it is both manifestly absurd and manifestly preposterous for the Lowrey Gang to be injuriously affected in character, reputation or standby being designated as murderers and scoundrels! Does Mr. Solicitor Cantwell take up the cudgels in defence of the Lowreys? If a bill of indictment should be sent for libel upon the Lowreys, and if the character of the party said to be libeled is not to be taken into consideration, would not the Grand Jury, under the instructions if Judge Russell, be obliged to find a true

Take another case. Suppose a man had been tried before His Honor, Judge Russell, last week, convicted and sentenced to death for murder, upon a bill of indictment drawn by Mr. Solicitor Cantwell. Suppose that yesterday the JOURNAL had referred to the man as the "murderer Smith," or Jones, or Bond, or whatever his name might be, does any sane man suppose that if Mr. Solicitor Cantwell should to-day send in a bill of indictment for libel for having designated the man as a murderer, the Grand Jury would be obliged to find a true bill against the editors of the Journal or Mr. Greeley presents the policy he probill against the editors of the Journal or ny also authorized the issue of \$10,000,000 to pay its floating debt. The St. Paul & Pacific, a leased road of the Northern Pacific, failed to

bill, or commit perjury! Some things are

too plain for even the plainest understand-

It will not do to say that it is not a supposable case for Mr. Solicitor Cantwell and "In this faith, and with the distinct un- His Honor, Judge Russell, to be guilty of such folly. The folly of some men is almost incredible, and of this we might give some notable examples.

> WITHOUT a free press, free speech and free juries men are slaves.

> Address of Democratic and Liberal Executive Committees for the State at Large-The Last Appeal !

The National Democratic and the Libe-General Grant is the chosen leader of a ral Republican Committees have recently horde of miscreants, who are sucking the | held consultations in New York, and surlife-blood of the country. This horde of veyed the field of the Presidential election. corrupt office-holders, needy carpet-bag- to take place in the United States on Tues.

They are hopeful and even confident of The issue tendered by Mr. Greeley is pure and honest administration of the gov.

distinctly and in plain terms accepted by ernment, and the preservation of the sa- THE BOND LIBEL-THE SOURNAL. this review of the political situation, they

> melled exercise of all the rights of an precinct, in your own township, on Tuesday, the 5th of November, and see that your neighbors do likewise. Let the regboth Democratic-Conservative and Liberal Republican, be cast at the ballot-box. therefore, earnestly urge our friends to see | the Solicitor. to this in every township in the State. And we especially suggest that true and active men, some five or six in number, in every neighborhood of every township, be ap- matter thus specially before the Court. pointed, at once, to call and see, in person, titled to do so. This duty is urged upon covered. our friends and expected to be done in every township, of every county in North pect it to be in every county, this course will ensure us a glorious victory. And success in North Carolina, in this new trial for peace and freedom, honesty and local self-government, will not only be anhonor, ever to be held in remembrance by our own people, but may save the entire nation from the dangers which now so fearfully beset and environ civil liberty itself. Let our watch-words, then, from now till election day, organize-work-FORWARD-triumph for our cause and our nominees, the representative Champions of pacification and purification, and

D. M. BARRINGER, Chairman State Dem. Con. Ex. Com. W. S. MASON,

rue Republican liberty.

Chairman State Lib. Rep. Ex. Com. Congress shall make no law abridging the freedom of speech or of the press .-Constitution of the United States.

FREE juries, free press and free speech

are the pillars of liberty. TELEGEAPHIC.

The Horse Malady, &c.

New York, Oct. 30 -The horse disease has appeared at Port Jervis, N. J., especially affecthorses on the Delaware and Hudson anal. It has also extended to Columbus, Ohio. where three cases have occurred. The oxen have been sent from the interior of New York, to take the places of the horses in this city.

The weather is favorable to-day. One hundred deaths were reported vesterday among the Mr. Bergh announces his determination prevent the working of affected horses. Several companies have brought suit against Bergh for \$25,000. The ocean steamers leave to-day with only Several Sugar Refiners have suspended opera-

The stable superintendent thinks the working of diseased horses will run the malady into the It is stated that fifty cows have died from the horse malady at East Orange, N.J.

The steamboats on the North and East rivers, have been brought into requisition to accommo date the travel impeded by the horse malady. PHILADELPHIA, PA., Oct. 30 .- The stables and brick vard were burned to-day with 8 horses. reports 25 new cases yesterday.

Mrs. Greeley died this morning MASSACHUSETTS.

Charles Sumner Again Heard From. BOSTON, Oct. 30. Hon, Charles Sumner, in a letter from Paris, declining the coalitien nomination for Governor of Massachusetts, says: "In acknowledging your communication, I beg to repeat this de-clination, most sincerely desiring that no per-son should vote for me. Beyond this personal wish, which I trust will not be disregarded, is a sideration that if chosen I could not serve. At the same time, I express my grateful sense of the trust reposed in me by the Conventions which united in this nomination. My acknowledgments are especially due to the Conventions esenting fellow-citizens to whom I have for a long time been opposed on important political questions. I beg them to believe that I am not insensible to their good will, which is enhanced by the sign it affords that past differences are absolved in a common desire to secure for our country the incomparable blessing of peace and reconciliation under the safeguards of good government, and with the principles of Declaration of Independence as our rule of conduct.

NEW YORK.

Trial of Mayor Hall. NEW YORK, Oct. 30. trial was fixed. The ex-Boss appeared attended by a host of legal retainers, but learning

that he would not be wanted to-day, abruptly Jas. H. Ingersoll and John G. Farrington appeared and were bailed for \$5,000 each. Mr. Stoughton then proceeded with his address in behalf of the Mayor.

BAILROAD MATTERS. The New York Central Directors to-day authorized the issue of \$40,000,000 of bonds for the purpose of laying two additional tracks from New York to Buffalo for the great traffic. The Chicago and Northwestern Railroad Directors to-day authorized the issue of convertible to the extent of \$10,000.000. Under direction of the Executive Committee the stock Island Compapay its coupons and its workmen have stopped

DEATH OF MRS. GREELEY-A QUIET AND PEACEFUL END. Mrs. Herace Greeley died this morning at the residence of Mr. Alvin Johnson. During yes-terday evening her symptoms were of such a favorable character as to inspire some faint hopes of her recovery. Such expectations, however, proved unfounded, as she had two chills during the night, after which she was very easy until she ceased to breathe, which was at 4 a.m., sinking away peacefully without any perceptible struggle. Her funeral will take place at Dr. Chapin's Church, at 12 o'clock

WASHINGTON

Proclamation of the President regarding Foreign Tonnage and Import Buties.

WASHINGTON, Oct. 30. The President to-day signed the proclama tion deciaring that all provisions of the acts imposing and discriminating on foreign tonnage andimportant duties in the United States are revived, and shall henceforth be and remain in full force, as relates to goods and merchandise imported into the United States in French vessels from countries other than France, so long as any discriminating duties shall be imposed by France upon goods and merchandise impor-ted into France in vessels of the United States, from countries other than the United States.

Monday morning Mr. Solicitor Cantwell rose and asked His Honor, Judge Mr. Greeley says let us clasp hands do not hesitate to say that much, very Russell, presiding in the Superior Court across the bloody chasm made by the much depends on the vote of North Caro- for this county, to issue an order for the lina. All admit that we did well and no- Grand Jury to be brought into court for General Grant, speaking through Mr. bly on the 1st of August last; and but for special instructions relative to the law of the frauds and gross violations of the elec- libel. Mr. Cantwell stated to the Court although they are grown men and notor tion laws of this State in that struggle, our that on Saturday a bill of indictment for victory would have been complete, instead libel against one party had been sent to the Grand Jury, and had been returned ready for the final contest, so soon to be the bill for the reason that the party decided. Work earnestly and manfully charged had not written the article charged for the right. Be vigilant and active in as libelous. He was also informed that Klux, so-called. defence of the principles of our noble and another party was concerned in the crime, inspiring cause of Constitutional liberty. and he desired to send a new bill, includ-Be not deceived by false representations, ing him. He had no hesitation in saying or swerved from the line of duty by the that the parties against whom he sought vote for Grant? If Grant is beaten Radithreats of those who thus disgrace official an indictment were the editors of the Wilauthority, or by any other mode of intimi- mington Journal. He asked that the dation or corruption, nor seduced by the Grand Jury may be brought into court blandishments of official patronage, so and specially instructed by His Honor that earth has been so merciful. No man can freely offered by those who live on public to print and publish in a newspaper an arstand up here to-day and assert to the con- plunder and the taxes paid by an impov- ticle calling a man a scoundrel, is sufficient erished and oppressed people. We urge to constitute the offence of libel, even you to vote as freemen, freely and indepen- though no special damage may ensue to dently, in the full, intelligent, and untram- the party thus designated, and even if it be manifestly absurd and preposterous for South American citizen. Be sure to attend your such designation to affect injuriously the character, reputation or standing of the party thus designated. He asked His Honor to charge the jury

istration books be closely examined pre- specially, that for the publisher of a news- last few years. viously, and proper challenges made to all paper to call any high dignitary or judicial illegal votes. Challenge, too, on the day officer, for example, a Judge of the Circuit of election, every attempt at illegal voting. Court of the United States, a scoundrel, It is all important to our success that a even though the idea that the Judge could fair election and a full vote of our friends, thereby be injuriously affected was prepos

terous and absurd, was a libel. He asked, further, that His Honor would This will secure a certain triumph in North | charge the Jary specially, that it had no Carolina, and on our vote may depend the right to send for witnesses to rebut the result of the Presidential election. We, testimony offered by the witnesses sent by the puny attempts of either carpet-baggers

> The Solicitor said that in view of the circumstance the Court being in session, &c. he deemed it to be his duty to bring the

His Honor said that according to Eng. every voter friendly to our cause, and lish practice, where, as in this case, a jury earnestly insist on his going to the election, had thrown out a bill against a party, it | Cantwell : and, if necessary, assist in getting him was not permitted to send another bill there, and assure him that there is a gene- against the same party during the same ral understanding among our friends that term of the Court for the same offence, every man is to vote at this election, if en- unless additional evidence had been dis-

Thereupon, the Grand Jury, in obedience to an order from His Honor, came into at his pleasure. I read from the Charlescrats had 250 votes and the Grant party Carolina. Universally pursued, as we exdirected to return with his jury as soon as a quorum should be present

When the court convened in the afternoon session, the Grand Jury made their appearance and awaited the charge of his Honor. Our reporter was present and committed to paper the substance of this charge, which, however full, makes no pretensions to being a strictly rerbatim

His Honor said to the jury that he had been requested by the counsel for the State to give them a special charge as to cases of criminal libel, and more especially as to what constitutes a libel that will subject the party to indictment as distinguished from that only actionable at the instance of a private party. A man is entitled to bring an action for libel or slander; but in only three cases is he entitled to recover without showing to the jury that his character has been actually dam-

1st. Where crime is imputed and, as general rule, not only crime but felony. 2d. Where a party is charged with having a contagious or infectious disease or malady, when such a publication tends to exclude him from the enjoyment of his rights in society.

3d. Where words are spoken or published regarding the profession or calling of the party, tending to injure him in his

In these cases the jury had only to be satisfied with the proof to entitle him to recover. These cases are not restricted to words printed, but apply also to words spoken, or slander. Libel is nothing more than written or printed slander. But as to criminal libel, the rule is that a man cannot be indicted for words spoken-they must be written or printed.

But the law does not restrict the State to those cases that are actionable per se. All actions, all words, written of another which are actionable per se, are also indictable criminally in every case where a man may not be able to recover spe-

law goes further as applied to cases not actionable per se. A man publishes you as a thief: you bring an action, show the publication and are entitled to recover. It is actionable both criminally and civilly. He calls you a rogue: then the action is not civil and you cannot recover damages unless you can show that your character is actually damaged; for here the charge does not impute a felony. Although you cannot bring a civil action, still you can bring your criminal action when a man publishes you in a manner calculated to bring your character into

public contempt; you can indict him. A libel is a malicious publication tending to injure your character. It is not incumbent upon the members of the bar to show further than is charged in the bill of indictment for you to bring a charge of libel. A grand juror who considers this matter, as furnished in this bill of indictment, and refuses to find a bill, remembering his oath, is guilty of per-

There was a law in England where a man who published a libelous statement of another could not show, was not permitted to prove, that the language used was true. It was held, as Lord Mansfield said, "the proves this to the jury he is not guilty. It is difficult to imagine what other de-fense a man who is published as a scoundrel has but that which the law affords. In this case it is the duty of the jury to inquire whether these parties charged have been guilty of printing, causing to be printed, or publishing, or causing to be pubished, or writing for causing to be written, the language charged in the bill of indictment, and if so, then a true bill must be

The Court charges you that the publication of the words set forth in the bill of indictment are sufficient to constitute a libel per se. It is for you to determine whether these persons charged are editors or publishers of the paper named. A libel has been committed-the Court so charges you-and it is for you to find out who committed this libel.

The rule is that whoever causes a libelous statement to be written or published, willingly and knowingly, is guilty of the libel. Of course all the employes of a printing office where a libel is printed are not necessarily where a noer is printed are not necessarily guilty of libel, because they may not have known that it was published; and the print-er in the discharge of his mere mechanical duties, may not be guilty because there was no intent on his part.

The jury are to take into consideration only the testimony of witnesses sent from the Court, and have no right to send for witnesses to make out a case for the de-fendant, nor have they a right to examine any witnesses except such as were sworn in Court, and cannot send for witnesses without the consent of the Court. Whenever the words set forth in a bill of indictment constitute a libel in law, you are to say who published it. There is but one

course for an honest man to pursue.

The following is the text of the article, declared by His Henor to constitute a

J. A. Engelhard and Col. W. L. Saunders: THE DIFFERENCE. According to Radical ideas of right and

wrong, and of justice, it is all right to turn Northern convicts out of the Penitentiary, ous thieves, found guilty by a jury after i fair trial, but it is all wrong to turn out young Southern boys, of tender age, who, promise of mild treatment, were in-We appeal to you now, friends of republican freedom and good government, to be formed that the jury had refused to find like Judge Bond, without any trial at all. from the hands of justice. It is all right in Radical eyes to pardon the Pennsylvania thief, but it would be all wrong to pardon the North Carolina Ku-

The grown man Yerkes goes free. The boy Ramseur is in a felon's cell. Can North Carolinians reconcile it to their manhood or to their consciences to calism will die. If Grant is re-elected Radicalism will live!

Judge Bond.

We publish below some extracts from a speech delivered by Hon. THOMAS F. BAYARD, of Delaware, in the Senate of the United States, May 21, 1872, in opposition | that His Honor, Judge Russell, has not yet to the suspension of the writ of Habeas Corpus, and in favor of doing justice to the having reported that they had taken no every stable exhibits one or more speci-The Judge Bond referred to by Senator Bayard is 'the same man who has been

presiding over the United States Circuit Court in North and South Carolina for the This is the man whom, if Solicitor Cant-

well and Judge Russell are to be listened to, Democratic papers dare not assail! It needs only to read these extracts to show how flimsy is the pretext of certain Radicals for seeking to paralyse and suppress the JOURNAL.

Secure in the confidence, respect and esteem of the people, the JOURNAL scorns or scallawags to control or restrain its utterances against rascality and corruption. We feel complimented to know that the blows of the Journal have been so vigorous and effective as to draw down upon it so malignant a mark of hate as that shown by the bill of indictment sent by Solicitor

Let me show the Senate what is to be the condition of Carolina, and let them see what martial law means. I am sure if this thing could be brought home to the hearts of the Northern people it would teach them to prize more highly this great writ of liberty which this bill proposes to put in the hands of the President to be suspended

"A DIABOLICAL OUTRAGE. "CHARLOTTE, April 16 .- The latter part of ast week a squad of Federal cavalry shot and killed a poor countryman, by the name of Paris, while fishing in a boat in Broad river, in York istrict, South Carolina. The soldiers allege that they shot only to terrify him. The squad was under the command of Lieutenant Ben-

'A gentleman from York county, yesterday formed us that on Friday last a squad o United States troops, engaged in arresting par-ties suspected of violation of the enforcement act, shot and killed two brothers, named Craig, whom they were endeavoring to catch. Tu troops, as our informant heard the story, were in chase of the Craigs, and were close upon them, when, reaching the Broad river, about fifteen miles from Yorkville, the pursued party plunged in, and were shot while swimming cross. One of the brothers was shot and san instantly, and no more has been seen of him The other was tatally wounded through the thigh, was captured and brought on shore, but died on Saturday. Let us have peace!"—Co lumbia Phanix, of yesterday.

Let us have peace! This is but one day's doings. This is martial law. This is murder. Have we any complaint of this from the President of the United States ? Has there been an arrest or trial of these soldiers, or of the man who commanded them, or the man who gave the orders which could have led to such acts? No, sir. Shooting to death by musketry is sharp, severe, but it is mercy itself compared to trial before an unjust judge. Of all sad sights, Mr. President, of all sights to make men sicken and despair, it is when the man who sits in the high place of justice, among his fellow.men, shall turn trials nto mockeries and justice into vindictive persecution. There is no more stiror finer passage in our language than that which sprang from the lips of Paul when the high priest Ananias bade the soldiers strike him on the mouth for declaring that his conscience had been free of offense toward God. The answer came, "God shall smite thee, thou whited wall; for sittest thou to judge me after the law, and commandest me to be smitten contrary to the law?" Sir, there are men who have been tried before Judge Bond in South Carolina who may well echo

the words of Paul to him. I have here the official report of the trial of those cases last fall; I mean those that were defended by Messrs, Reverdy Johnson and Henry Stanberry. I have here reports of subsequent cases; I have letters from lawyers in South Carolina; and I do declare that I had as lief run my risk as an nnocent man before the bullets of Merrill's cavalry as I would before Bond's judgments in his own court. Why what has been the result? It is foreordained; the men are foredoomed; trial means only conviction. It is an idle ceremony that might as well be dispensed with.

But if such is the jury what shall we say of the court? What is the kind of law with which these jurors are instructed after they are so drawn and so packed? The custom, it seems, is to indict these men for conspiracy, a conspiracy of two-something new, I think, in the law-a conspiracy of two men; and here is Judge Bond's ruling on the subject of conspiracy. We of the profession of the law know that conspiracy s a technical crime which the courts of England have, especially of late years, done their best to limit their jurisdiction over, to hold parties making the charge still more strictly and to prevent a ramification of proof which such general charges necessarily permit. The leaning of the English greater the truth, the greater the libel."- | courts is to restrict the doctrine of conspi-Yet in North Carolina, by public enact- racy and confine it within as strict limits ment, a defendant is entitled to establish as possible and not permit a man to be that what he wrote was true, and if he assailed by the word or by the act of an

But the lawyer to whom I have already referred writes to me as follows: "The report of the Ku-klux trials in the United States Circuit Court, sitting at Charleston, as contained in the News of the 23d instant, e attributes to Judge Bond a ruling so monstrous that it may serve to make a good point.

"He ruled that declarations of A, who is proven to be a member of a conspiracy, that B is also a member, are admissible in evidence against B."

And well may it be asked who would be safe, what Senator in this Chamber is to be safe if, when you prove that a secondrel in South Carolina is a member of some rascally organization, whose business is outrage and plunder, you can prove by his statements that you, sir, or any other member of this body were also members? Such a proposition, I say, is frightful. No ality, it is the front of a favorite meerman in the community could be safe. It schaum belonging to her husband. He is one for which no respectable authority in a court of justice can be shown.

But, sir, that is not all. In the case reported in the Charleston News, of the 17th of April, of the trial of Leander Spencer and William Smith, for conspiracy and murder, they produced a man named Wm. White, and Wm. White testified, and here is his evidence, that he himself shot and killed, in cold blood, a black man who was tied to a tree. He came into court the principal in the murder, "murder most foul," and he is brought by the United States and admitted by Judge Bond as a witness to prove that others were accesso-ries. He, the red-handed murderer, the principal in the guilt, is made the State's witness to inculpate those who conspired

Was there ever such a case before? He was the principal; the others were simply accessories, or principals in the second degree, as I think they are termed in capital cases. I ask any Senator here whether a | the Fair Week at Weldon.

libel, as set forth in the bill of indictment who committed murder was called upon to that Solicitor Cantwell is seeking to have stand in safety, in security, and exonerate found by the Grand Jury against Major himself from the crime committed by himself by implicating others in it? Why, sir, there is a rule in criminal law that recommends itself to humanity; I believe 'the rule has been adopted and applied, that the testimony of an accomplice uncorroborated by strong evidence shall not be considered sufficient to convict any man. The testi mony of an accomplice is suspicious in itself. He is awearing himself free; the price of another man's blood is his escape

> But, sir, if the picture of these trials, which I have not time to go through, could be brought before the American people, if they could see how they are conducted. they would say that this is a mockery of justice; they would say that Boxd seems to be emulating the fame of Jeffreys; that the Bloody Assizes that followed the rebellion of the Duke of Monmouth are being re-enacted in these Southern States; and let me say to him that history is very apt to repeat itself, and if he will emulate the example of Jeffreys, let him not forget

THAT LIBEL CASE-JUDGE RUSSELL AND THE GRAND JURY AGAIN.-It seems done charging the Grand Jury. This body | Company one hundred and twenty, and action, and that a majority of their number was opposed to action, on the bill of street omnibuses have stopped running, on indictment sent before them by Solicitor account of the failure of horse power. The Cantwell (and regarding which they were | superintendents of the horse railroads wear specially charged by His Honor) for libel against the Journal, they were again are no longer distressed by impertinent A BIT OF PHILOSOPHY, SIMPLE BUT called up by Judge Russell yesterday after-On this occasion the Court handed back the bill to the Foreman of the Grand aristocratic lady cannot now order her car- have a certain share of true ideas suggest-Jury and said that they must find one way or the other, that it was either a true bill

or not a true bill. Judge Russell also gave the Jury to understand that they were fortunate in escap- streets. The stony pavements reverberate plexion, dress and general aspect of the ing commitment for contempt. During the sound of but comparatively few vehi- said person, more or less definite. Of the four years that he had been upon the bench, he stated, he had never committed any one for contempt, but that he had the power, and gave the Jury to understand that he would use it, if necessary. On this occasion, however, he was disposed to attribute their action to ignorance and not any intention of contempt.

But His Honor went further clared most positively (which declaration we give in substance) that he had an utter contempt for a set of men who knew their duty and yet were too cowardly to per-More His Honor said, but this much we

comment to offer now. South Carolina Items. Gov. Scott seems to be making a whole-

deem sufficient for present publication.

The whole speaks for itself. We have no

sale use of the pardoning power in advance to be pleased with her acting. The Mu- our modes of acquiring information. of the election. Louis Schiller has been appointed a Trial

Harling, removed from the county; James Pather a Trial Justice for Horry county. The city authorities of Charleston have taken measures to prevent, if possible, the appearance of the dreaded horse disease in

Mr. Wm. M. Nicholson, an esteemed citizen of Chester county, who served gallantly with the Balmetto Regiment in Mexico, died on Wednesday last, aged 43. By a telegraphic dispatch from Washington, dated October 22d, we learn that "the Merchants' and Planters' Bank" of Union has been authorized, with a capital

The Laurensville Herald says: "The cotton crop in this county is better than was anticipated one month ago-it is now thought that there will be an average yield. If the present fine weather continues two weeks picking will be finished.

The Union Times says: June S. Mobley tendered his resignation of the office of Auditor of this county, the day before the election, as he was certain of being reelected to the Legislature. The Governor accepted the resignation, but the people refused to elect him to the Legislature, so June is officially defunct. The Camien Journal says: Several of

our planting friends mention the fact that their cotten crops have turned out better than they had expected, and some say they will not be through with picking before Christmas, while others will be compelled to leave some untouched. This unexpected but gratifying intelligence is not universally the case, and the crop will not | week exceed an average one. From the Laurensville Herald we learn

that Captain W. W. Neil, J. O. Duckett and Ludy Tribble were before Commissioner Runkle on last Wednesday. They were released on a bond of five thousand dollars each to appear in Columbia on the fourth Monday in November at the sitting of the United States Circuit Court. Dr. Dave Richardson and Captain Joel Anderson were before the Commissioners as the Herald went to press. This completes the list of the late arrests in that county.

Upon the recommendation of the Superintendent of the penitentiary, the following convicts have been pardoned by Governor Scott: John Brown, Jas. Harris, Peter Schuler, Daniel Williams, Levi Cameron, June Jones, Jacob Robenson, John Goodwin, Edward Williams, Berry Laurey, Toney Jenkins, John Harris, E. J. Porter. Maberry Sims, Jacob Davega, Edward Piatt; and upon the recommendation of Judge Thomas, has pardoned Elias Evins and LaFayette McCaw, convicted of grand larceny, and sentened to the State Penitentiary for three years.

Consumption of Whiskey. The New Orleans Picayune says: "We know of four parishes in this State, with a population of about 43,000 of all nounced that students who receive aid rels of whisky are required to meet the yearly demand. It has been estimated. upon a fair basis of calculation, that the consumers in these four parishes pay half million dollars yearly for liquor and strong drinks-about three times the amount of their State and parish taxes .-The colored population all over the State, not only the men, but the women, drink enormous quantities of whiskey.

"Most of the stores in all of the villages and country parishes take out licenses to sell whiskey. The city of New Orleans, with a population of equal to one-third of the inhabitants of the State, consumes an almost fabulous quantity of whiskey and other strong drinks, for which they usually pay fifteen cents a glass, and great quantities of lager beer and other beverages, for which they pay ten down to five cents a

"The gross sales of the cotton and sugar | gian. crops of the State since the war usually do not amount to over \$30,000,000 yearly .-The 'drinks' of the people of the State and the liquor bills amount to more than \$30,-000,000 yearly.11

A young married woman in New York wears a breast-pin which excites great admiration. It is apparently a beautiful carving, in some dark, glossy stone of a lion's head, heavily set in red gold. In rewas an inveterate smoker, but to please her he gave up the habit, and she wears this peculiar ornament as a trophy of her victory. It is said that nine of Barnum's camels

and dromedaries have died of envy since they saw some of the humps on the backs of some of our daughters of fashion. The Magnolia Monitor says: Mr. W. Gillispie, residing near Kenansville, died on Sunday night, aged 43 years. He has been suffering with consumption for some time past. He leaves many friends to mourn his loss.

The Roanoke News says: A small negro hoy, while driving gin horses on the farm of Col. F. M. Parker, last week, was caught between the moving lever and band-wheel. and so badly crushed, that instant death was the consequence. The proprietors of the Roanoke News

case was ever known before where a man | OUR SPECIAL CORRESPONDENCE

The Horse Malady-Fearful Ravages -Theatrical -Destructive Conflagration, &c., &c.

BOSTON, MASS., Oct. 26th, 1872. Dear Journal :- The horse epidemic, which made its appearance in Boston and vicinity a few days ago, continues to spread with astonishing rapidity. Thousands of cases are reported, many of which have proved fatal. It is impossible to go out of doors without noticing some instance of the fearful distemper. Every second horse you meet betrays symptoms of disease in a slimy discharge from the nostrils, frequently accompanied with blood. An offensive cough also predicts a speedy attack, and the poor animal becomes weak and falls, from utter exhaustion, in the street. The contagious qualities of the malady can no longer be doubted. Within twenty-four hours from the time one horse in a stable is afflicted, several hundred, are unable to

perform duty.

The disease first broke out in Canada, and now bids fair to sweep the entire country, from North to South. The weather only seems to aggravate it. Much sympathy is manifested for stage owners and stable keepers, whose pecuniary loss is already large. The Boston Coach Company have ninety sick horses, the Adams Express Company forty, the Boston Ice mens of suffering beasts, Many of the long faces. Travelers arriving at the depots hackmen, as these worthies go about with drooping heads and sorrowful hearts. The wher is horse! Even the question "Shall it be Horace or Ulysses," is forgotten in law is invariable. the present excitement. The progress of I know these impressions are not corbusiness has been sadly impeded, and if rect, and so in order to correct them, erthe disease continues to increase, serious deavor to get actual information, I talk

With trepidation we await further develop- ideas, I perhaps never acquire-not even The theatre business is somewhat dull, although the Lydia Thompson troupe are and art. A fruit, flower, implement, indoing their prettiest at the Globe. Lydia vention, is mentioned. We are full of appears as Sir Rupert, the Reckless, in ideas, true, false and mixed. This is one Lurline," and is ably supported. "Wild reason why we are so delighted with the Oats" is the chief attraction at the Muse- process of development in a plant, tree or um, and it is really a fine thing. Miss flower. Novel and unexpected features Annie Clark is, without doubt, one of the | constantly occur, displacing our false conbest actresses that ever graced the stage, ceptions, and substituting new and accu and the most fastidious person cannot fail rate ones. Such is briefly the philosopy of

Clark is the "star," juries done to the building and collections

by visitors. Mr. and Mrs. Tom Thumb, Commodore Nutt and Minnie Warren are displaying their statue and fine clothes at the Tremont principal cities during the winter. Geo: ge | by practice, making no mistakes. Macdonald will give his celebrated lecture on "Tom Hood" in Boston, to-morrow.

The store of S. S. Houghton & Co., known as the "Ladies' Pavilion." at Nos. 55 and 57 Tremont street, was destroyed by a conflagration on Tuesday night. Mr. Houghton estimates his loss at \$150,000. They were insured only to the amount of \$60,000. By the fire nearly one hundred girls have been thrown out of employment.

STATE NEWS.

Business good in Newbern. Raleigh's last sensation is a band of

strolling Gipsies. O'Hary, the noted Enfield Radical negro, has taken out license to practice law The Raleigh Sentinel wants the streets

The Asheville Citizen urges its young men to organize a brass band.

Capt. A. H. Polk, of Asheville, died Hartford, Conn. on the 18th inst. A woman near Newbern had triplets tast

Mr. J. W. Beasley, of Bertie, has been appointed U. S. Guager for the 1st Congressional District.

Lucca like "to tread on the edge of de-

Guilford county, on Saturday, 26th of Oc- tion Game of all kind is said to be plentiful throughout this section. The sportsmen are having fine times "shooting on the

A Virginia newspaper reporter has invented a baby with eyes in its knee-pans. structed, carrien on the tide. Men come Perhaps he means only that it has a to talk politics, inquire from all the coun knockular conformation of its knee- ties, see people from every part of the

Indiana is excited over the birth of a pig with a countenance as much like a Christian as any other inhabitant of the town in which its parents live. The south side of the Arkansas river is

reported to be lined for one hundred and

wild horses and deer. The Protestant Episcopal Society for the increase of the ministry, has anages, colors and sexes, in which 4,000 bar- from its funds must abstain from tobacco

The Newern Times says: The British

brig Troubador, Oakes Smith master, ar-

rived a few days ago at Beaufort, N. C.,

from Tonala, Mexico, with a cargo of mo-The Goldsboro Messenger says: Obed Lee, residing at Pikeville, in this county, fell from a buggy or wagon near the Fairground's gate, in this place, on Friday last. | music of the voice-the electric influence His head struck the curb of the side-walk of contact and sympathy. There are pick-

and is said to be quite a learned theolo-

The Raleigh Sentinel says: Coroner Magnin has received a letter from Prof. Genth, of Philadelphia, stating that the analysis of the stomach of the late Rev. Dr. Smith and of the sugar, and remnants of the Sedleitz powder of which he drank, has been completed. We trust in a few days to be able to lay the result of the analysis before our readers.

A correspondent of the Elizabeth City Economist, writing from Currituck county, says: On the 11th inst, J. B. Morgan, of Indian Ridge, one of our best citizens and most thorough business men, met with a serious and distressing accident. He went with his son, R. H Morgan to "the beach," to shoot fowls. While loading one barrel of his gun, the other which was loaded, and standing half cocked, went off, blowing off the thumb of the right hand and badly injuring all the fingers of the hand. The injury is greatly regretted by all our people.

From the Courier-Journal.

You have made a good Hit, and though the World Pitched, and the Devil Played behind, you have reached the Home-Plate

Heaven; and, amid cries of Judgment from the World, and How's That? from the Devil, are proclaimed by the Great Umpire of the are printing a very neat little daily during Universe, NOT QUIL

From the Atlanta Sun.

TO UNDERSTAND FAIRS.

THEIR "POINTS," USES AND ABUSES, HOW TO MAKE THE MOST OF THEM.

A LITTLE PHILOSOPHY -- A SCRAP OF HIS. TORY-A SPICE OF FUN-ALSO, WHAT YOU WILL SEE BY COMING

Fairs had their origin in the disposition to buy and sell. Buyers would naturally come where commodities were for sale. People wishing to sell would come where uyers were to be found. A concourse of articles brought a concourse of people, and vice versa. But the assemblage of a multitude provided opportunities for various other purposes besides those of barter .-The interchange of products soon brought about an interchange of information. Men availed themselves of these means to o'. tain information-to acquire reputationto exhibit fruits of their labor, and to be appreciated generally. Inventions were ought to be exhibited. The fruits of knowledge, skill and taste, were brought together. These uses also added to the numbers collected, and so there was a mutual action and reaction in the concourse

of people, ideas and results. Thus a great known place of rendezvous attracted men, for all purposes, and articles of all sorts, as well as exhibitions of skill to elicit compensation in money or admi-

riage at will. Merchants are obliged to ed, and "fill up" the picture with material hire men and boys to deliver goods by supplied by the imagination. If I hear of hand, as express wagons are few and far Mr. A. or Miss B., I am sure to form a between. Unusual quiet reigns in the conception of the appearance, size, comcles. The subject of conversation every- course it is generally wrong, founded on fancy, not on fact or observation. Yet the

trouble will ensue. The limited number with others, but after all to get ideas really of horse doctors have been kept continu- correct, I must see for myself and not an ally on the move, but their remedies have, other. To correct all the errors, I must in most cases, had no effect whatever .- | see often and familiarly. Absolutely just

knowing myself fully. This illustrates our knowledge of nature

seum will never lack patronage while Miss | Now one great use of a fair is to bring us face to face with things we have only The Natural History rooms have been heard of before. We can thus see for closed to the public in consequence of in- ourselves, correct false impressions, and judge from observation. Comparatively satisfactory, as this is

even this is not enough. Only familiarity. seeing the use, indeed actual use and self handling, can be satisfactory. This leads Temple. These distinguished "little to expertness, and by practice information people" are just from the Court of Royalty, is made perfect, getting directly at the fac's where they have met with a glorious re- and seeing the points. Astonishing quickception. They will probably visit all our ness of perception and handling is acquired A FAIR AS AN EXPOSITION.

A fair now is not a mere place of sale, but an exposition. It is a concentration of people and articles. It gathers the things ogether, the people to see them, and the eople to explain them. Exposition rather than sale is now the main idea. Accordingly, it is interesting to practical men, theoretical and scientific men, states-

or art. Nor less so to those who simply like to see people, to meet together, learn the news, hear what's going on, see and be

men and philosophers, as well as to the

general public—to the inventor and obser-

ver-the student for any purpose of nature

WHAT YOU WILL SEE BY COMING TO THE First and foremost, you will see each other. A great social gathering is a fire relish, and of itself very attractive. To see and be seen-to talk and be talked to-to meet friends and to see the crowd, the people and the fashions—to enjoy social intercourse : these are among the most captivating, and at the same time innocent of all

our enjoyments. Think what a complex exhibition a crowd affords. Think of the elaborate toilets, of the well furnished heads, stocked with Meas-of the stores of life and talk, the cultivated men, the fascinating women, the dress, the smiles, wit, humor, talk, badinage, fun, cynical remarks, criticisms, efforts to shine, to amuse and be amusedsuch a multitude presents. And do not The regular yearly meeting of the Soci- miss it this year. If bent on amusement, ety of Friends, convened at New Garden, know that in spite of all efforts at instruc-

VANITY FAIR will assert itself largely. Men will come to see, hear, or talk. People come to ad mire, to court and be courted, laugh, talk and "go on," see, hear, learn, observe, receive impressions and be entertained, in-State and country. Each comes from his own motive to accomplish sundry ends.

As quaint old John Bunyan has it: "Now every horse has his especial guider So by his going, you may know his rider."

You will learn the fashions, learn the news, the crops, the city and its ways and fifty miles with vast herds of elk, buffalo, advantages, the stores and the merchants, where to stop and whence to order, the ropes, wires and dots of Atlanta, and hear and see from everywhere else besides. But the uses of a great multitude are ness, your inventions, and perhaps yourself

very complex. Splendid opportunities of advertisement are afforded of your busiif it be one of your aims in life to be highly appreciated. There are pictures for the eye and music for the ear, and pretty. grounds and decorated halls, and flowers, beasts, birds, fishes, wind mills, and boats -displays of taste and displays of skill. And then the crowd itself is a picture. It has faces and dress, tongues and talk-the and it is thought that his skull is frac- pockets to shun, and equipages to watch lest you be run over, shows and side-shows THE Raleigh News says: We announce enough—as much to interest and as little with pleasure the arrival of the Right Rev. to corrupt as possible, and plenty of J. P. Campbell, DD. LL.D., Bishop of the pleasurable excitement. Under this sugar-A. M. E. Church, in this city yesterday coating, it is proposed to give you considmorning. Bishop Campbell succeeds erable instruction, almost in spite of your-Bishop Wayman, formerly of the Diocese, self. But we wish also to see those who come on pupose for instruction, men with eyes, and matrons, who wish to learn how to conform to the times. From the diverting history of John Gilpin and his wite. we learn, concerning that worthy gentle-

"Well pleased was he to find, Although on pleasure she was bent, She had a frugal mind."

And so with husbands of this day-how to make the pot boil and what sort of pet to get, and what sort of stove, washing machine and mangle.

And the young ladies will see the fine art department and take a special interest in the Tournament, a little in sewing machines and not a little in the company they meet. The dairy will pour forth its treasures-the work shops, the fields and factories, the stable and studio-each and all will send its contribution. All of which brings us to consider

THE PERSENT FAIR. Beginning with the bargain and sale,

fairs have grown into expositions. They are a much more complex affair than for merly, and people are more critical and exacting. The present Fair aims as far as possible, to get the advantages of past experience incorporated into its methods. There will still be articles to sell or exchange, and persons looking for such to buy. Fine machinery, stocks, implements, &c., will change hands, and new material be thus introduced into the country, into general use and the familiar acquaintance of the people. In addition to the display of re-